

INTERVIEW SUMMARY

Applicant would like to thank Examiner Gregory L. Johnson and Primary Examiner Lalita M. Hamilton, for the courtesies shown their attorney in the interview held on February 26, 2008 at the U.S. Patent and Trademark Office. Applicant's attorney Aaron Haleva discussed the substantive differences between the cited prior art, *i.e.*, the Stewart and Byrne references, and novel elements of the present invention, in particular the fact that the present invention allows a biller to off-load authorization tasks to a third party authorization system, where such an authorization system's activity is invisible to the user, and all notifications from the authorization system are formatted in a familiar and recognizable format of the biller such that they appear to the consumer as if generated by the biller. Applicant's attorney and Examiner Johnson further discussed proposed amendments to the independent claims that would capture these distinctions.

REMARKS

In view of the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claims 1-25 are pending in this application. Claims 1-25 stand rejected. Claims 1, 7, 13-16, and 18-20 have been amended. New claims 26-30 have been added. No new matter has been introduced. Claims 1, 13-16, and 18-20 are the independent claims.

Applicants would like to thank the Examiner for the indication that the objection to the specification in the previous Office Action has been withdrawn.

Applicants would also like to thank the Examiner for the indication that the objections to claims 13-15, 19 and 24 set forth in the previous Office Action have been withdrawn.

Claims 1-4, 7-8, 10, 12-15, 18-19, 20-22 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne et al, U.S. Patent Appl. Publ. 2003/0229590 ("Byrne") in view of Stewart et al., U.S. Patent Appl. Publ. 2002/0120846 ("Stewart"). Claims 5-6 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne and Stewart, and further in view of U.S. Patent No. 6,493,685 to Ensel et al. ("Ensel"). Claims 11, 23 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne and Stewart in view of U.S. Patent No. 6,119,106 to Mersky et al. ("Mersky"). Claims 16 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Byrne and Stewart in view of Lewis, et al., U.S. Patent Appl. Publ. 2002/0029194 ("Lewis"). Applicants respectfully traverse these claim rejections for the reasons set forth hereinafter.

As set forth in detail in the present application, Applicants' claimed invention is directed to a bill payment authorization system and method for credit card or bank account charges for a billing party in response to electronic payment requests sent over the Internet from customers. The claimed invention allows a merchant to project a full service profile to its customers, yet at the same time utilize a third party service for credit and debit card authorization, thus avoiding potential customer displeasure upon realizing that credit card authorization was not obtained by the actual biller. *Specification* at [0002; 0004]. Thus, in exemplary embodiments of the present invention, web services software can be used to facilitate the transmission of authorization information to each biller's website where it can be formatted to that biller's specification. Notification of the authorization or rejection of the payment request can then be sent to the consumer by the biller as well as by the authorizing party by e-mail, where in either case such electronic notification is formatted in a familiar and recognizable

format of the biller such that the electronic notification, or email, appears to the consumer as if generated by the biller.

The Byrne reference cited by the Examiner describes embodiments for a global integrated payment system for Internet payment enablement and support for merchants or other financial institutions. A payment transaction manager securely routes payment transactions from merchants via the system back-end to different financial institutions. The payment transaction manager accepts any payment transaction, from any device, using any protocol. Byrne is designed to facilitate connections between all sizes of merchants and their various respective channels to various financial institutions. Byrne at [0010].

However, unlike the present claimed invention, Byrne does not teach or suggest that electronic notification of authorization (or a similar e-mail notification) sent to a user is formatted in a familiar and recognizable format of the biller such that the electronic notification appears to the consumer as if generated by the biller.

Additionally, Byrne does not teach a pre-authorization feature, as is recited in claim 7, as amended, and in new claims 26-30, that allows a cardholder to be pre-authorized, based on cardholder information, thus allowing a biller to determine that a card is valid prior to proceeding with a given transaction. Applicant notes that the prior Office Action cited to Byrne at [0045] in rejecting the prior version of claim 7. Applicants submit that while Byrne at [0045] describes pre-authorization of cards that are to be charged a monthly recurring charge, so as to allow merchants to streamline their billing of such monthly recurring amounts, in contrast, claim 7, as amended, is not addressing such a situation, and is not taught or suggested by Byrne at [0045] or in any other place. Claim 7, as amended, addresses pre-authorization of any

cardholder based on cardholder information so that a biller can determine that a card is valid before proceeding with a transaction.

Stewart is directed to an electronic payment system for debit and electronic check payments. Stewart does not teach or suggest that an electronic notification sent to a consumer, whether via the biller's website or via e-mail from the authorizing website, is formatted in a familiar and recognizable format of the biller such that the electronic notification, or the email, appears to the consumer as if generated by the biller.

Additionally, Ensel does not cure the severe deficiencies of Byrne. Ensel describes embodiments for an electronic account presentation and response system and method to interface between a biller and its customers for both the presentment of electronic bills to the customers and for the processing of payments from the biller's customers. The system and method creates and electronically publishes bills to the biller's customers in response to data provided by the biller and processes the payments in response to instructions provided by the customers. As with Byrne, Ensel does not teach or suggest that electronic notification sent to a consumer, whether via the biller's website or via e-mail from the authorizing website, is formatted in a familiar and recognizable format of the biller such that the electronic notification, or the email, appears to the consumer as if generated by the biller.

Nor does Mersky cure the severe deficiencies of Byrne. Mersky describes embodiments of a system for facilitating customer payments to creditors from a remote site including computer systems located at respective agent, service provider and creditor sites. A customer using the system for the first time typically visits one of the remote sites and tenders payment, preferably manually, in response to receiving a creditor billing statement. Information relating to the customer, including name, address and customer account number with the creditor

are entered into the agent system at that remote site along with the payment amount, and a receipt containing transaction information is printed and conveyed to the customer. If a customer chooses to use the system a second or subsequent time by paying a bill at the same agent location, the stored information for that customer can be accessed and used to avoid having to obtain and process that information. As with Byrne, Mersky does not teach or suggest that electronic notification sent to a consumer, whether via the biller's website or via e-mail from the authorizing website, is formatted in a familiar and recognizable format of the biller such that the electronic notification, or the email, appears to the consumer as if generated by the biller.

Finally, Lewis also fails to cure the severe deficiencies of Byrne. Lewis describes embodiments of a method and system for managing transactions over an electronic network that accepts input of all transaction, participant and financial information and creates a secure, participant personalized and transaction-customized graphical user transaction interface, where participants can view, update and complete transaction details and documents over the electronic network. A database stores laws, requirements and customs for documents and procedures of all jurisdictions and potential participants. Based on the input information regarding the transaction and all rules, the system automatically creates the interface and documents unique to the transaction, in the proper format and with the correct information. As with Byrne, Lewis does not teach or suggest that electronic notification sent to a consumer, whether via the biller's website or via e-mail from the authorizing website, is formatted in a familiar and recognizable format of the biller such that the electronic notification, or the email, appears to the consumer as if generated by the biller.

Thus each of independent method claims 1, 13-16, and 18-19, and corresponding system claim 20, are submitted as patentable over the cited art. Dependent claims 2-12, 17, and 20-25 are urged as patentable for similar reasons.

Moreover, claim 7, and its counterparts, new claims 26-30, are also urged as patentable over the cited art, for their dependence upon the novel independent claims as well as the additional novel features recited therein, as discussed above.

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for immediate allowance, and notice to this effect is respectfully requested. The Examiner is heartily invited to contact Applicants' undersigned attorney at the telephone number with any follow-up issues to expeditiously advance the prosecution of this case.

No fee is believed to be due with the filing of this Amendment. However, if any fee is due, the Director is hereby authorized to charge any additional deficiencies or credit any overpayments to Deposit Account No. 05-0765.

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Respectfully submitted,

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